

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Investigation into the Collocation Security)

Policies of Verizon New England Inc. d/b/a)

Verizon Massachusetts)

D.T.E. 02-8

PETITION TO INTERVENE
OF ALLEGIANCE TELECOM OF MASSACHUSETTS, INC.

Pursuant to 220 C.M.R. 1.03, Allegiance Telecom of Massachusetts, Inc. (“Allegiance”) hereby petitions the Department of Telecommunications and Energy (“Department”) for leave to intervene in the above-captioned proceeding. In support of this petition, Allegiance states the following grounds:

1. Allegiance is a corporation organized under the laws of the State of Delaware, with its principal place of business at 9201 North Central Expressway, Dallas, Texas.
2. Allegiance is a competitive local exchange carrier (“CLEC”) authorized to provide, and currently providing, local exchange services in Massachusetts.
3. Allegiance’s interests will be affected substantially and specifically by the Department’s adjudication of the collocation security policies of Verizon New England Inc. d/b/a Verizon Massachusetts (“Verizon”). Allegiance presently collocates its equipment at 16 Verizon Central Offices in Massachusetts.
4. Changes in Verizon’s collocation security policies would affect significantly the ability of Allegiance to provide telecommunications services in Massachusetts. Moreover, changes in Verizon’s

collocation security policies resulting from this proceeding would affect Allegiance's costs and its ability to compete fully and fairly in the local exchange market in Massachusetts.

5. No other party can adequately represent Allegiance's interests in this case, in which the Department will determine "whether Verizon's security policies meet the statutory standard for 'just, reasonable, safe, adequate and proper regulations and practices.'" *Vote and Order to Open Investigation* at 6. In so doing, the Department will investigate Verizon's security measures at its central offices and other facilities, and "the extent and nature of appropriate access by personnel of other carriers to Verizon's central offices and other facilities for accessing collocation sites." *Id.* at 7. It will do so subject to the FCC's finding in the *Advanced Services Order* (which finding was upheld on appeal) that "the incumbent LEC may not impose discriminatory security requirements that result in increased collocation costs without the concomitant benefit of providing necessary protection of the incumbent LEC's equipment." *Id.* at 3-4. These will be highly fact-specific inquiries. Security issues are likely to vary from facility to facility, and the impacts of suggested changes in security measures are likely to vary from CLEC to CLEC, depending on the central offices in which the CLEC has equipment, and even the location of that equipment within a particular central office. Allegiance, like other collocated CLECs, is uniquely situated with respect to these issues and should be allowed to represent its own interests in this case.

6. Allegiance seeks to participate as a full intervenor in this case, and where appropriate, file comments, attend and participate in technical conferences, present witnesses, file discovery, cross-examine witnesses and submit briefs.

7. Allegiance requests that all documents and communications regarding this proceeding be sent to:

Robert D. Shapiro
Christopher H. Kallaher
Rubin and Rudman LLP
50 Rowes Wharf
Boston, MA 02110
(617) 330-7000

and

Mary Albert, Vice President
Vice President, Regulatory and Interconnection
Allegiance Telecom, Inc.
1919 M Street, NW, Suite 420
Washington, D.C. 20036
(202) 464-1796

WHEREFORE, for the reasons stated above, Allegiance respectfully requests that the
Department grant its Petition to Intervene.

Respectfully submitted,

ALLEGIANCE TELECOM OF
MASSACHUSETTS

By its attorneys

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Dated: February 11, 2002